

WILLIAM B. DODD AND OTHERS.

[To accompany Bill H. R. No. 732.]

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MAY 18, 1860.

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Mr. PENDLETON, from the Committee on Military Affairs, made the following

REPORT.

*The Committee on Military Affairs, to whom was referred the memorial of William B. Dodd, respectfully submit the following report :*

The committees of the House of Representatives for the last two Congresses have reported in favor of this claim. This committee have examined these reports and are satisfied with them. They adopt the report last submitted, and report a bill accordingly.

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IN THE HOUSE OF REPRESENTATIVES, *April 17, 1858.*

Mr. PENDLETON, from the Committee on Military Affairs, made the following report :

*The Committee on Military Affairs, to whom was referred the memorial of Wm. B. Dodd, respectfully report :*

That the Committee on Military Affairs of the House of Representatives of the last Congress, after an examination of this case, made the following report, which this committee approves and desires to make again to the House, embodying their own recommendation :

“The memorialist was engaged in the construction of a private road from Rockbend, a short distance above Traverse des Sioux, to St. Paul. While thus engaged, Captain J. L. Reno, brevet captain of the ordnance department, in surveying the military road provided for by act of Congress, known as the Big Sioux and Mendota military road, came upon the road being constructed by the memorialist and adopted it as a part of the said military road provided for by act of Congress. The petitioner was to have been paid for said private road by subscription, previous to its adoption by the government ; but three hundred dollars, however, were subscribed for the same up to the time Captain Reno adopted it as a part of the government road.

After such adoption, Captain Reno having estimated the cost of the same, embraced it in the estimate for the completion of the military road, and, upon such an estimate, Congress made an appropriation for the same. In Executive Document No. 97, 1st session 33d Congress, will be found, in Captain Reno's report, the following reference to it:

“ ‘Opposite Traverse des Sioux we struck a road, newly cut out, from Rockbend (a short distance above Traverse des Sioux) to St. Paul, by Captain Dodd, of Minnesota. This gentleman, with a surveyor and ten men and two teams, had been employed 109 days in cutting out this road and bridging the streams. It materially assisted our survey, and enabled us to get through the ‘Big Woods’ several weeks sooner than we would otherwise have done without this—our only guide among this unexplored labyrinth of lakes and marshes.

“ ‘I have included in the estimates the cost of cutting out this road, and take pleasure in recommending that Captain Dodd and his party be paid for their labor out of the appropriation for making the Mendota military road.’

“ ‘In his estimate, which was before Congress at the time it made the appropriation, which is found in the same document, he has a distinct item: ‘Add, for cost of Dodd’s road, &c., &c., \$3,270.’

“ ‘The evidence before the committee satisfactorily proves that the actual expense incurred by Captain Dodd in making the road exceeded that sum.

“ ‘It is proven that Dodd never received a cent but \$300 by private subscription, the adoption of the same by the government having obviated the necessity of subscriptions.

“ ‘The committee think that the intention of Congress, in making the appropriation including this item, was, that the memorialist should be paid for the road constructed by him.

“ ‘The committee, accordingly, report a bill to carry out the intent of the previous act, the accounting officer having refused to pay the said Dodd the cost of said road. The bill, it will be found, appoints a commissioner to disburse the said amount. This is done in order to secure to the workmen employed on the same the amount due them for their labor, the memorialist having, by reason of his failure to receive the cost of the road, been unable, up to this time, to discharge all the obligations against him for labor furnished in the construction of the same.”